



U.S. Department of Justice

Civil Rights Division

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Office of the Assistant Attorney General

Washington, D.C. 20530

June 23, 1998

Ann Littrell, Esq.  
City Attorney  
425 Tenth Street  
Douglas, Arizona 85607

Dear Ms. Littrell:

This refers to your request that the Attorney General reconsider and withdraw the December 5, 1983, objection interposed under Section 5 of the Voting Rights Act, 42 U.S.C. 1973c, to the imposition of a two consecutive term limit for city councilmembers in the City of Douglas in Cochise County, Arizona. We received your request on April 24, 1998; supplemental information was received on June 16 and 19, 1998.

The objection in question was interposed in the context of the retroactive application of the term limit which the City of Douglas sought to impose at that time. Our analysis showed that the retroactive application of the term limit would have served to remove immediately two of the council's three Hispanic representatives. We understand from your present submission that you now wish that we reconsider the objection to the term limit in light of the city's decision to apply it prospectively.

We have reconsidered our earlier determination in this matter based on this, and other, information and arguments you have advanced in support of your request, along with the information in our files and comments received from other interested persons.

Accordingly, pursuant to Section 51.48 (b) of the Procedures for the Administration of Section 5 (28 C.F.R.), the objection interposed to a two consecutive term limit is hereby withdrawn. However, we note that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. See 28 C.F.R. 51.41.

Sincerely,



Bill Lann Lee

Acting Assistant Attorney General  
Civil Rights Division